

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JAN 23 1958
 Returned to applicant for correction MAR 5 1958
 Corrected application filed MAY 5 1958

The undersigned W. A. ROOF
Name of applicant
 of Winnemucca, County of Humboldt,
 State of Nevada, hereby make application for
 permission to appropriate the public waters of the State of Nevada, as
 hereinafter stated. (If applicant is a corporation, give date and place
 of incorporation.)

1. The source of the proposed appropriation is Tony Creek
Name of stream, lake or other source

2. The amount of water applied for is 3.0 second-feet.
One second-foot equals 40 miners' inches

3. The water to be used for Irrigation
Irrigation, power, mining, manufacturing, domestic, or other use

4. The water is to be diverted from its source at the following point:

NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34, T. 41 N., R. 37 E., M.D.B.&M. or at a point where the
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.
West one quarter ($\frac{1}{4}$) corner of Sec. 34 bears N. 43° 36' W. 1,386.3 feet

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is 200

(b) Description of land to be irrigated S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 34, and
Describe by legal subdivision, or if on unsurveyed land it should
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T. 41 N., R. 37 E., M.D.B.&M.
be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

(c) Use will begin about Feb. and end about Nov., of each year.
Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is _____ horsepower.

(e) Place of use _____
Give location of place of use by legal subdivision

(f) Point of return of water to stream _____
Describe in same manner as point of diversion

(g) State number and kinds of animals to be watered _____

(h) Use will begin about _____ and end about _____, of each year.
Month Month

(i) Remarks This is an application for unappropriated waters of
Tony Creek, which are not in accordance with the Sixth Judicial
District Court of the State of Nevada, in and for the County of
Humboldt, No. 3057, dated August 29, 1929.

DESCRIPTION OF PROPOSED WORKS

Water will be diverted from a headgate through ditches and then

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water onto the land

is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works \$1,000.00

6. Estimated time required to construct works 90 days

7. Remarks

For use of applicant

W. A. ROOF, Applicant.

By s/ Richard M. Black
Agent for Applicant

Compared HS/LB

Protested June 13, 1958 by Lyle L. Frey.

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby ~~grant the same, subject to the following limitations and conditions:~~

~~deny the same on the grounds there is no water subject to appropriation.~~

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed cubic feet per second.

Actual construction work shall begin on or before

Proof of commencement of work shall be filed before

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

. Proof of the application of water to beneficial

use must be filed with State Engineer on or before

Map filed May 5, 1958

Commencement of work filed

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

Recorded Bk. Page

WITNESS MY HAND AND SEAL this 17th day
of February, 1959

Edmund A. Smith
State Engineer.